

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Oscar Estrada

Principal

United States

Case Number:

YOB: 1997

M-18-2190-M

Santos Herevia

Co-Principal

United States

YOB: 2000

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 24, 2018 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Edy Magdaleno Lorenzo-Valdez, a citizen and national of Guatemala, along with six (6) other undocumented aliens, for a total of seven (7), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempted to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to wit: a residence located in Edinburg, Texas,

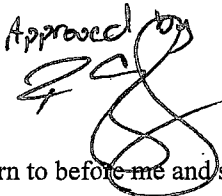
in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii)
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On October 22, 2018, Border Patrol Agents received information regarding a stash house used to harbor undocumented aliens located at 23647 North Western Road in Edinburg, Texas.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by


Sworn to before me and subscribed in my presence,

Signature of Complainant

Gerardo Montalvo Senior Patrol Agent

Printed Name of Complainant

October 26, 2018 — 6:28 PM
Date

at McAllen, Texas
City and State

Juan F. Alanis, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18-2190-M

**RE: Oscar Estrada
Santos Herevia**

CONTINUATION:

On October 22, 2018, Agents conducted surveillance on the aforementioned property and observed a red pickup truck depart the property and briefly meet a group of suspected illegal aliens whom emerged from a wooded area; shortly after, the pickup truck departed and the suspected illegal aliens walked inside the suspected stash house.

On October 24, 2018, Agents resumed surveillance on the suspected stash house and observed a green Mitsubishi Galant depart the property. At this time, Hidalgo County Sheriff's Office (HCSO) was contacted to assist with a vehicle stop on the Galant. HCSO Deputies conducted a traffic stop on the Galant for Operating a vehicle with fictitious license plates. The driver was identified as Oscar Estrada, a United States Citizen, and the front passenger as Santos Herevia, also a United States Citizen. Additionally, the Deputy informed Agents that Estrada was unlawfully in possession of a firearm.

Agents questioned Estrada as to his suspected involvement in alien smuggling to which he denied having any knowledge or involvement. Estrada stated that he resided at the suspected stash house and provided Agents with consent to search the residence.

Agents questioned Herevia as to his suspected involvement in alien smuggling to which he stated that he had no involvement in harboring aliens, but that he had knowledge that Estrada was harboring undocumented aliens at the suspected stash house. Herevia provided Agents with consent to search the suspected stash house.

Agents proceeded to the residence; however, no undocumented aliens were discovered inside the residence. While searching the property, Agents observed foot sign leading into an orange orchard that was adjacent to the property. While following the foot sign, Agents encountered approximately twelve (12) subjects attempting to conceal themselves within the orchards. Agents were able to apprehend seven (7) subjects and the rest absconded. All seven (7) subjects to include Edy Magdaleno Lorenzo-Valdez were determined to be illegally present in the United States.

All subjects were transported to the McAllen Border Patrol station to be processed accordingly.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18-2190-M

**RE: Oscar Estrada
Santos Herevia**

CONTINUATION:

PRINCIPAL STATEMENT:

Oscar Estrada was read his Miranda Rights. He understood, but refused to answer any questions in regards to his suspected involvement in human smuggling.

CO-PRINCIPAL STATEMENT:

Santos Herevia was read his Miranda Rights. He understood and agreed to provide a statement without the presence of an attorney.

Santos Herevia stated that he has resided at the suspected stash house for the past two (2) years. Herevia admitted to having previously harbored ten (10) undocumented aliens at this residence. Herevia stated that he was paid \$100 USD per alien and that he divided the earnings with Oscar Estrada. Herevia stated that Oscar Estrada has been residing with him and has harbored about 100 illegal aliens in the past four (4) months. Additionally, Herevia stated that Esteban transported and was responsible for the twelve (12) aliens that were found in the property, to which only seven (7) aliens were apprehended.

Through a photo lineup, Herevia identified Oscar Estrada as the person who would transport and harbor the illegal aliens in the ranch where he resided.

MATERIAL WITNESSESS STATEMENTS:

Edy Magdaleno Lorenzo-Valdez was read his Miranda Rights. He understood and agreed to provide a statement without the presence of an attorney.

Lorenzo-Valdez, a citizen of Guatemala, stated that he made his smuggling arrangements and was to pay \$63,500 Quetzales to be smuggled to New York City, New York. Lorenzo-Valdez claims that he crossed the river along with twelve (12) other subjects and were picked up by a red pickup truck and transported to the stash house. At the stash house, two (2) male subjects received them, took their cell phones away, and showed them where they were going to sleep. Just before their arrest, they were told to head to the orchards and hide due to the presence of law enforcement.

Lorenzo-Valdez identified Estrada, through a photo lineup, as the person who received him, took his phone away, gave him instructions, and who was in charge of the stash house where he was being harbored.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18- 2190 -M

**RE: Oscar Estrada
Santos Herevia**

CONTINUATION:

Lorenzo-Valdez identified Herevia, through a photo lineup, as the person who received him, fed the group, gave them instructions, and who was also in charge of the stash house where he was being harbored.